

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

14 At the May 25, 2007, hearing on Defendant's Motion to
15 Reconsider (Ct. Rec. 27), Assistant U.S. Attorney Robert A. Ellis
16 appeared for the United States. Defendant was present with retained
17 counsel Brett Billingsley. Family members were also present. Both
18 sides argued.

19 The United States, in seeking Defendant's detention, contended
20 Defendant, if released, would present a risk of flight and a danger
21 to the safety of the community. Based on the Pretrial Services
22 Report¹ and proffer of the parties, the court finds Defendant has a

24 ¹Consistent with 18 U.S.C. § 3153(c), the court considered the
25 Pretrial Services Report. The Pretrial Services Report has been
26 returned to the confidential files of the United States Probation
27 Office. On review of this Order, the Pretrial Services Report will
28 be made available to the court and to the parties.

1 significant criminal history, including multiple failures to appear,
2 violations for failure to comply, and prior convictions for
3 drug/alcohol related offenses. In addition, Defendant allegedly
4 attempted to avoid apprehension and possessed two handguns, which he
5 tried to conceal, at the time of his arrest in this matter.

6 There is no chemical dependency assessment before the Court.
7 There also may be pending state warrants issued after defendant was
8 in federal custody. While those warrants may have been unavoidable
9 in light of the federal custody, nevertheless the warrants would
10 have to be resolved prior to release if defendant were to seek
11 release following assessment. In addition, there are questions as
12 to the appropriateness of the residence plan in light of the pending
13 state charge of assault with a deadly weapon.

14 **IT IS ORDERED** that the Defendant's Motion to Reconsider **(Ct.**
15 **Rec. 27)** is **DENIED**.

16 DATED May 25, 2007.

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s/ CYNTHIA IMBROGNO
19 UNITED STATES MAGISTRATE JUDGE
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